

FACT SHEET FOR STATE WASTE DISCHARGE PERMIT ST 5018
FACILITY NAME WESTPORT SEAFOOD, INC.
February 2010

SUMMARY

PURPOSE of this Fact Sheet

This fact sheet explains and documents the decisions the Department of Ecology (Ecology) made in drafting the proposed State Waste Discharge permit for Westport Seafood that will allow the discharge of wastewater to city of Westport Wastewater Treatment Works.

State law requires any industrial facility to obtain a permit before discharging waste or chemicals to waters of the state which includes groundwater.

PUBLIC ROLE in the Permit

Ecology makes the draft permit and fact sheet available for public review and comment at least 30 days before it issues the final permit to the facility operator. Copies of the fact sheet and draft permit for Westport Seafood, State Waste Discharge permit 5018, are available for public review and comment from April 12, 2010 until the close of business May 11, 2010. For more details on preparing and filing comments about these documents, please see **Appendix A - Public Involvement**.

Westport Seafood, Inc reviewed the draft State Waste Discharge permit and fact sheet for factual accuracy. Ecology corrected any errors or omissions about the facility's location, product type or production rate, discharges or receiving water, or its history.

After the public comment period closes, Ecology will summarize substantive comments and our responses to them. Ecology will include our summary and responses to comments to this Fact Sheet as **Appendix C - Response to Comments**, and publish it when we issue the final State Waste Discharge permit. Ecology will not revise the rest of the fact sheet, but the full document including all appendices will become part of the legal history contained in the facility's permit file.

SUMMARY

Westport Seafood Company discharges treated process wastewater to the city of Westport Publicly Owned Treatment Works (POTW). Ecology previously issued a state waste discharge permit to this facility on December 14, 2004. However, this facility has had difficulties complying with some of the permit limits. As the result of noncompliance, Westport Seafood entered into an excess strength user agreement with the city of Westport, in which it agreed to pay the POTW additional cost for treating its wastewater. Ecology reviewed the agreement and determined that the excess loadings from Westport Seafood would not cause the POTW to violate its NPDES permit conditions. Ecology modified the state waste discharge permit incorporating conditions specified in the agreement on June 12, 2008.

The proposed permit limits for the pollutants of concern include Biochemical Oxygen Demand 5 days (BOD₅), Total Suspended Solids (TSS), pH, temperature and flow rate, which remain the same as the modified permit limits in 2008.

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I. INTRODUCTION

The legislature defined Ecology's authority and obligations for the wastewater discharge permit program in the Water Pollution Control law, Chapter 90.48 RCW (Revised Code of Washington).

Ecology adopted rules describing how it exercises its authority:

- State Waste Discharge Program (Chapter 173-216 WAC [Washington Administrative Code])
- Water Quality Standards For Ground Waters of the State Of Washington (Chapter 173-200 WAC)
- Submission of Plans and Reports for Construction of Wastewater Facilities (Chapter 173-240 WAC)

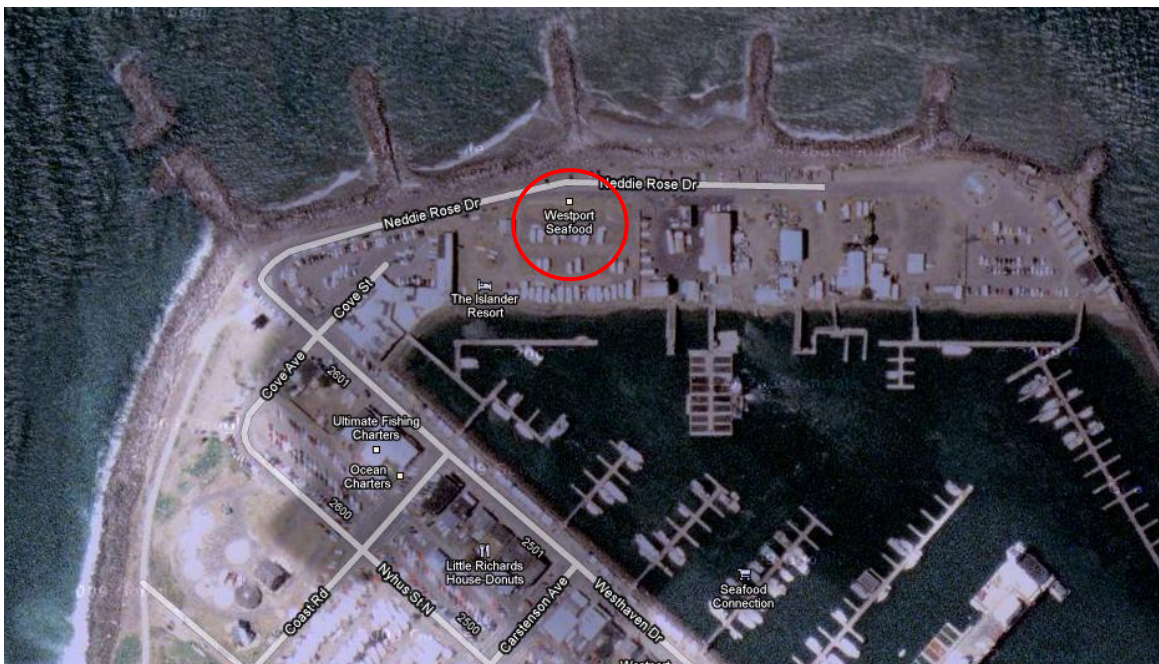
These rules require any industrial facility operator to obtain a State Waste Discharge permit before discharging wastewater to state waters. They also help define the basis for limits on each discharge and for performance requirements imposed by the permit.

Under the State Waste Discharge permit program and in response to a complete and accepted permit application Ecology must prepare a draft permit and accompanying fact sheet, and make them available for public review before final issuance. Ecology must also publish an announcement (public notice) telling people where they can read the draft permit, and where to send their comments, during a period of thirty days. (See **Appendix A--Public Involvement** for more detail about the Public Notice and Comment procedures). After the Public Comment Period ends, Ecology may make changes to the draft State Waste Discharge permit in response to comment. Ecology will summarize the responses to comments and any changes to the permit in Appendix C.

Table 1 - General Facility Information

Applicant:	Doug Cornman
Facility Name and Address:	Westport Seafood, Inc. 609 Neddie Rose Road Westport, WA 98595
Type of Facility:	Seafood Processing
Type of Treatment:	City of Westport Sewer System
Facility SIC code	2092
Facility Location:	Latitude: 46.901944 N Longitude: 124.102222 W
Contact at Facility	Name: Douglas Cornman Telephone No: 360-268-0133
Responsible Official	Name: Douglas Cornman Title: President Address: 609 Neddie Rose Drive Telephone No: 360-268-0133 FAX No: 360-268-0134

Figure 1, Facility Location Map



II. BACKGROUND INFORMATION

A. Facility Description

DESCRIPTION OF THE FACILITY

Westport Seafood processes Dungeness crabs for frozen crabs during the winter months and anchovy, sardine and herring for frozen bait during summer/fall. The application states that the raw products it uses annually at the facility include 778,196 pounds of crab and 826,707 pounds of anchovy, sardine and herring and that it annually produces 239,925 pounds per year of frozen crabs and 826,707 pounds of frozen bait. The wastewater generated at the facility includes cooking and cooling water for crab processing and rinse water for bait packaging (Photo No.1). The application reported a maximum daily wastewater discharge from the facility of 12,297 gallons and a monthly average of 4,123 gallons per day.



Photos No. 1 Crab Cooking Operation

Westport Seafood, Inc. is not a Significant Industrial User since its maximum daily flow of 12,297 gallons per day is both less than the 25,000 gpd threshold in the regulations and five percent of the capacity of the city of Westport Public Own Treatment Works. Based on wastewater information provided in the application, Ecology has determined that the wastewater does not include substances that have the potential to cause pass through pollution, interference with the treatment processes or contamination of the sludge at the POTW.

HISTORY

Ecology first issued a state waste discharge permit to Westport Seafood on October 11, 2000, after an inspection revealed the facility was discharging wastewater to the city of Westport sewer system without a proper permit. On June 12, 2008, Ecology modified the state waste discharge permit; revising the BOD and TSS limits to values based on mass loading rates instead of concentration based. Ecology modified the permit because Westport Seafood reached the POTW's waste surcharge strength, and the City and the facility agreed to a new specific reporting plan agreement (sewer agreement) in which the POTW agreed to accept the higher strength wastewater from the facility and Westport Seafood agreed to pay surcharges to the POTW for treating the wastewater. Consequently, Ecology modified the permit limits for BOD and TSS from 300 mg/L to 200 lbs/day.

INDUSTRIAL PROCESSES

Westport Seafood receives Dungeness crabs for processing during the winter months, primarily in December, January, February and March. The production rate varies with the seasonal variation and natural abundance of the raw material. During the summer/fall months (June, July, August and September), this facility processes Anchovy, Sardine, and Herring for bait packaging. This facility uses 778,196 pounds of crab and 826,707 pounds of anchovy, sardine and herring and the annual production rate for frozen crabs is 239,925 pounds per year and 826,707 pounds of frozen bait.

The facility generates most of its wastewater from two major sources, crab processing and bait packaging process. Wastewater generated at the facility collects at a sump inside the processing building and the

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facility routes it through a filter prior to the settling tanks. From the settling tank, it pumps wastewater over a 40 mesh tangential screen (photo No. 2) prior to discharge to the city of Westport sewer system.



Photo No. 2 Tangential Screen

B. Permit Status

Westport Seafood, Inc. submitted an application for permit renewal on December 30, 2008. Ecology accepted it as complete on February 5, 2009.

Ecology issued the previous permit to this facility on May 9, 2005. The previous permit placed effluent limits on BOD, TSS, Oil and Grease, pH, temperature and flow rate.

C. Summary of Compliance with Previous Permit Issued

Ecology staff last conducted a non-sampling compliance inspection on December 2, 2009, as part of the permit re-issuance process.

Westport Seafood had difficulties in meeting the concentration based limits for BOD and TSS based on the permit issued on December 9, 2004. The facility had complied with the mass loading limits since Ecology modified the permit in June 2008. Review of the facility's Discharge Monitoring Reports (DMRs) for the period between September 2005 and September 2009 showed the facility violated the BOD mass loading limit once since Ecology revised the permit limits on June 12, 2008.

D. Wastewater Characterization

Westport Seafood reported the concentration of pollutants in the State Waste Discharge application and in discharge monitoring reports. The tabulated data represents the quality of the effluent discharged from September 2005 to September 2009:

Table 2: Wastewater Characterization

Parameter	Average Value	Maximum Value
Biochemical Oxygen Demand, 5 days	2,370 mg/L	3,110 mg/L
Total Suspended Solids	265 mg/L	341 mg/L
Oil and Grease	37.7 mg/L	100 mg/L
pH	7.1	8

III. PROPOSED PERMIT CONDITIONS

A. Technology-based Effluent Limits

State regulations require that Ecology base permit discharge limits on the:

- Technology and treatment methods available to treat specific pollutants (technology-based). Dischargers must treat wastewater using all known, available, reasonable methods of prevention, control, and treatment (AKART).
- Conditions necessary to meet applicable water quality standards to preserve or protect beneficial uses for ground waters.
- Applicable requirements of other local, state and federal laws.

Ecology applies the most stringent of these limits to each parameter of concern and further describes the proposed limits below.

The limits in this permit reflect information received in the application and from supporting reports. Ecology evaluated the permit application and determined the limits needed to comply with the rules adopted by the State of Washington.

EPA has established pretreatment effluent standards for Dungeness crab process in 40 Code of Federal Regulations (CFR) Part 408.

PART 408—CANNED AND PRESERVED SEAFOOD PROCESSING POINT SOURCE CATEGORY Subpart H—Dungeness and Tanner Crab Processing in the Contiguous States Subcategory

§ 408.84 Pretreatment standards for existing sources.

Any existing source subject to this subpart that introduces process wastewater pollutants into a publicly owned treatment works must comply with 40 CFR Part 403. In addition, the following pretreatment standard establishes the quantity or quality of pollutants or pollutant properties controlled by this section which may be discharged to a publicly owned treatment works by a point source subject to the provisions of this subpart.

Table 3: Federal Pretreatment Standards for Existing Sources

Pollutant or pollutant property	Pretreatment standard
pH	No limitation.

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Oil and grease	Do.
TSS	Do.

The city of Westport POTW has established local limits to protect the POTW. Some of the local limits used in establishing the permit limits are listed as follows.

Table 4: City of Westport Local Limits

Local Limits (City of Westport Municipal Code 13.08.060)	
pH, Standard Unit(su)	Within the range of 5.5 and 8.5
BOD ₅ , mg/L	300
Maximum Temperature, °C	65
Oil and Grease, mg/L	100

Permit Limits based on Local Limits and Sewer Agreement

Ecology based the proposed BOD and TSS limits on the agreement between the city of Westport and Westport Seafood. The agreement is in effect for the effective period of the permit.

Ecology establishes permit limits to protect the POTW from pass-through, interference, concentrations of toxic chemicals that would impair beneficial or designated uses of sludge, or potentially hazardous exposure levels.

Table5: Proposed Permit Limits:

Parameter	Maximum Daily
Biochemical Oxygen Demand, 5 days, mg/L	200 lbs/day
Total Suspended Solids, mg/L	200 lbs/day
Oil and Grease, mg/L	100
pH	Within the range of 5.5 and 8.5 Standard Unit
Temperature, °C	65

B. Comparison of Effluent Limits with Limits of the Previous Permit Issued On December 14, 2004:

Table 6: Comparison of Previous and New Limits

Parameter	Existing Limits	Proposed Limits
Biochemical Oxygen Demand, 5 days, lbs/day	200	200
Total Suspended Solids, lbs/day	200	200
Oil and Grease, mg/L	100	100
pH	Within the range of 5.5 and 8.5 s.u.	Within the range of 5.5 and 8.5 s.u.
Temperature, °C	65	65

IV. MONITORING REQUIREMENTS

Ecology requires monitoring, recording, and reporting (WAC 173-216-110) to verify that the treatment process functions correctly, the discharge meets ground water criteria and that the discharge complies with the permit's effluent limits.

Ecology details the proposed monitoring schedule under Condition S2. Specified monitoring frequencies take into account the quantity and variability of the discharge, the treatment method, past compliance, significance of pollutants, and cost of monitoring.

V. OTHER PERMIT CONDITIONS

A. Reporting and Recordkeeping

Ecology based permit condition S3 on our authority to specify any appropriate reporting and recordkeeping requirements to prevent and control waste discharges (WAC 173-216-110).

B. Operations and Maintenance

Ecology requires dischargers to take all reasonable steps to properly operate and maintain their wastewater treatment system in accordance with state regulations (WAC 173-240-080 and WAC 173-216-110).

C. Solid Waste Disposal

The Permittee must handle and dispose of all solid waste material in such a manner as to prevent its entry into state ground or surface water.

D. Compliance Schedule

In the event the City revokes or terminates the sewer agreement for any reason, the facility must notify Ecology immediately. Any discharge from the facility must comply with the city local sewer ordinance if the sewer user agreement between the facility and the city POTW is not in effect.

E. General Conditions

Ecology bases the standardized General Conditions on state and federal law and regulations. They are included in all State Waste Discharge permits issued by Ecology.

VI. PERMIT ISSUANCE PROCEDURES

A. Permit Modifications

Ecology may modify this permit to impose numerical limits, if necessary to comply with water quality standards for ground waters, based on new information from sources such as inspections, effluent monitoring, outfall studies, and effluent mixing studies.

Ecology may modify this permit to comply with new or amended state regulations.

B. Proposed Permit Issuance

This proposed permit meets all statutory requirements for authorizing a wastewater discharge, including those limits and conditions believed necessary to control toxics, and to protect human health and the beneficial uses of waters of the State of Washington. Ecology proposes that the permit be issued for five years.

APPENDICES

APPENDIX A--PUBLIC INVOLVEMENT INFORMATION

Ecology proposes to reissue a permit to Westport Seafoods, Inc.. The permit prescribes operating conditions and wastewater discharge limits. This fact sheet describes the facility and Ecology's reasons for requiring permit conditions.

Ecology placed a Public Notice of Application on June 11, 2009, and June 18, 2009, in the *Daily World* to inform the public about the submitted application and to invite comment on the reissuance of this permit.

Ecology will place a Public Notice on April 12, 2010, in the *Daily World* to inform the public and to invite comment on the proposed reissuance of this State Waste Discharge permit as drafted.

The Notice –

- Tells where copies of the draft Permit and Fact Sheet are available for public evaluation (a local public library, the closest Regional or Field Office, posted on our website.).
- Offers to provide the documents in an alternate format to accommodate special needs.
- Asks people to tell us how well the proposed permit would protect the ground water.
- Invites people to suggest fairer conditions, limits, and requirements for the permit.
- Invites comments on Ecology's determination of compliance with antidegradation rules.
- Urges people to submit their comments, in writing, before the end of the comment period
- Tells how to request a public hearing about the proposed State Waste Discharge Permit.
- Explains the next step(s) in the permitting process.

Ecology has published a document entitled **Frequently Asked Questions about Effective Public Commenting** which is available on our website at <http://www.ecy.wa.gov/biblio/0307023.html>.

You may obtain further information from Ecology by telephone, 360-407-6280, or by writing to the permit writer at the address listed below.

Industrial Unit Permit Coordinator
Department of Ecology
Southwest Regional Office
P.O. Box 47775
Olympia, WA 98504-7775

The primary author of this permit and fact sheet is Gary Lee.

APPENDIX B--GLOSSARY

AKART--The acronym for “all known, available, and reasonable methods of prevention, control and treatment.” AKART is a technology-based approach to limiting pollutants from wastewater discharges which requires an engineering judgment and an economic judgment. AKART must be applied to all wastes and contaminants prior to entry into waters of the state in accordance with RCW 90.48.010 and 520, WAC 173-200-030(2)(c)(ii), and WAC 173-216-110(1)(a).

Alternate Point of Compliance--An alternative location in the ground water from the point of compliance where compliance with the ground water standards is measured. It may be established in the ground water at locations some distance from the discharge source, up to, but not exceeding the property boundary and is determined on a site specific basis following an AKART analysis. An “early warning value” must be used when an alternate point is established. An alternate point of compliance must be determined and approved in accordance with WAC 173-200-060(2).

Ambient Water Quality--The existing environmental condition of the water in a receiving water body.

Ammonia--Ammonia is produced by the breakdown of nitrogenous materials in wastewater. Ammonia is toxic to aquatic organisms, exerts an oxygen demand, and contributes to eutrophication. It also increases the amount of chlorine needed to disinfect wastewater.

Annual Average Design Flow (AADF)--The average of the daily flow volumes anticipated to occur over a calendar year.

Average Monthly Discharge Limit--The average of the measured values obtained over a calendar month's time.

Background water quality--The concentrations of chemical, physical, biological or radiological constituents or other characteristics in or of ground water at a particular point in time upgradient of an activity that has not been affected by that activity, [WAC 173-200-020(3)]. Background water quality for any parameter is statistically defined as the 95 percent upper tolerance interval with a 95% confidence based on at least eight hydraulically upgradient water quality samples. The eight samples are collected over a period of at least one year, with no more than one sample collected during any month in a single calendar year.

Best Management Practices (BMPs)--Schedules of activities, prohibitions of practices, maintenance procedures, and other physical, structural and/or managerial practices to prevent or reduce the pollution of waters of the State. BMPs include treatment systems, operating procedures, and practices to control: plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage. BMPs may be further categorized as operational, source control, erosion and sediment control, and treatment BMPs.

BOD5--Determining the Biochemical Oxygen Demand of an effluent is an indirect way of measuring the quantity of organic material present in an effluent that is utilized by bacteria. The BOD5 is used in modeling to measure the reduction of dissolved oxygen in a receiving water after effluent is discharged. Stress caused by reduced dissolved oxygen levels makes organisms less competitive and less able to sustain their species in the aquatic environment. Although BOD is not a specific compound, it is defined as a conventional pollutant under the federal Clean Water Act.

Bypass--The intentional diversion of waste streams from any portion of the collection or treatment facility.

Categorical Pretreatment Standards--National pretreatment standards specifying quantities or concentrations of pollutants or pollutant properties which may be discharged to a POTW by existing or new industrial users in specific industrial subcategories.

Compliance Inspection - Without Sampling--A site visit for the purpose of determining the compliance of a facility with the terms and conditions of its permit or with applicable statutes and regulations.

Compliance Inspection - With Sampling--A site visit for the purpose of determining the compliance of a facility with the terms and conditions of its permit or with applicable statutes and regulations. In addition it includes as a minimum, sampling and analysis for all parameters with limits in the permit to ascertain compliance with those limits; and, for municipal facilities, sampling of influent to ascertain compliance with the 85 percent removal requirement. Ecology may conduct additional sampling.

Composite Sample--A mixture of grab samples collected at the same sampling point at different times, formed either by continuous sampling or by mixing discrete samples. May be "time-composite"(collected at constant time intervals) or "flow-proportional" (collected either as a constant sample volume at time intervals proportional to stream flow, or collected by increasing the volume of each aliquot as the flow increased while maintaining a constant time interval between the aliquots.

Construction Activity--Clearing, grading, excavation and any other activity which disturbs the surface of the land. Such activities may include road building, construction of residential houses, office buildings, or industrial buildings, and demolition activity.

Continuous Monitoring--Uninterrupted, unless otherwise noted in the permit.

Distribution Uniformity--The uniformity of infiltration (or application in the case of sprinkle or trickle irrigation) throughout the field expressed as a percent relating to the average depth infiltrated in the lowest one-quarter of the area to the average depth of water infiltrated.

Early Warning Value--The concentration of a pollutant set in accordance with WAC 173-200-070 that is a percentage of an enforcement limit. It may be established in the effluent, ground water, surface water, the vadose zone or within the treatment process. This value acts as a trigger to detect and respond to increasing contaminant concentrations prior to the degradation of a beneficial use.

Enforcement limit--The concentration assigned to a contaminant in the ground water at the point of compliance for the purpose of regulation, [WAC 173-200-020(11)]. This limit assures that a ground water criterion will not be exceeded and that background water quality will be protected.

Engineering Report--A document, signed by a professional licensed engineer, which thoroughly examines the engineering and administrative aspects of a particular domestic or industrial wastewater facility. The report shall contain the appropriate information required in WAC 173-240-060 or 173-240-130.

Ground water--Water in a saturated zone or stratum beneath the surface of land or below a surface water body.

Grab Sample--A single sample or measurement taken at a specific time or over as short period of time as is feasible.

Industrial User--A discharger of wastewater to the sanitary sewer which is not sanitary wastewater or is not equivalent to sanitary wastewater in character.

Industrial Wastewater--Water or liquid-carried waste from industrial or commercial processes, as distinct from domestic wastewater. These wastes may result from any process or activity of industry, manufacture, trade or business, from the development of any natural resource, or from animal operations such as feed lots, poultry houses, or dairies. The term includes contaminated storm water and, also, leachate from solid waste facilities.

Interference--A discharge which, alone or in conjunction with a discharge or discharges from other sources, both:

Inhibits or disrupts the POTW, its treatment processes or operations, or its sludge processes, use or disposal; and

Therefore is a cause of a violation of any requirement of the POTW's NPDES permit (including an increase in the magnitude or duration of a violation) or of the prevention of sewage sludge use or disposal in compliance with the following statutory provisions and regulations or permits issued thereunder (or more stringent State or local regulations): Section 405 of the Clean Water Act, the Solid Waste Disposal Act (SWDA) (including title II, more commonly referred to as the Resource Conservation and Recovery Act (RCRA), and including State regulations contained in any State sludge management plan prepared pursuant to subtitle D of the SWDA), sludge regulations appearing in 40 CFR Part 507, the Clean Air Act, the Toxic Substances Control Act, and the Marine Protection, Research and Sanctuaries Act.

Local Limits--Specific prohibitions or limits on pollutants or pollutant parameters developed by a POTW.

Maximum Daily Discharge Limit--The highest allowable daily discharge of a pollutant measured during a calendar day or any 24-hour period that reasonably represents the calendar day for purposes of sampling. The daily discharge is calculated as the average measurement of the pollutant over the day.

Maximum Day Design Flow (MDDF)--The largest volume of flow anticipated to occur during a one-day period, expressed as a daily average.

Maximum Month Design Flow (MMDF)--The largest volume of flow anticipated to occur during a continuous 30-day period, expressed as a daily average.

Maximum Week Design Flow (MWDF)--The largest volume of flow anticipated to occur during a continuous 7-day period, expressed as a daily average.

Method Detection Level (MDL)--The minimum concentration of a substance that can be measured and reported with 99 percent confidence that the analyte concentration is above zero and is determined from analysis of a sample in a given matrix containing the analyte.

pH--The pH of a liquid measures its acidity or alkalinity. It is the negative logarithm of the hydrogen ion concentration. A pH of 7.0 is defined as neutral, and large variations above or below this value are considered harmful to most aquatic life.

Pass-through--A discharge which exits the POTW into waters of the State in quantities or concentrations which, alone or in conjunction with a discharge or discharges from other sources, is a cause of a violation of any requirement of the POTW's NPDES permit (including an increase in the magnitude or duration of a violation), or which is a cause of a violation of State water quality standards.

Peak Hour Design Flow (PHDF)--The largest volume of flow anticipated to occur during a one-hour period, expressed as a daily or hourly average.

Peak Instantaneous Design Flow (PIDF)--The maximum anticipated instantaneous flow.

Point of Compliance--The location in the ground water where the enforcement limit shall not be exceeded and a facility must be in compliance with the Ground Water Quality Standards. It is determined on a site specific basis and approved or designated by Ecology. It should be located in the ground water as near and directly downgradient from the pollutant source as technically, hydrogeologically, and geographically feasible, unless an alternative point of compliance is approved.

Potential Significant Industrial User--A potential significant industrial user is defined as an Industrial User which does not meet the criteria for a Significant Industrial User, but which discharges wastewater meeting one or more of the following criteria:

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- a. Exceeds 0.5 percent of treatment plant design capacity criteria and discharges <25,000 gallons per day or;
- b. Is a member of a group of similar industrial users which, taken together, have the potential to cause pass through or interference at the POTW (e.g. facilities which develop photographic film or paper, and car washes).

Ecology may determine that a discharger initially classified as a potential significant industrial user should be managed as a significant industrial user.

Quantitation Level (QL)--A calculated value five times the MDL (method detection level).

Reasonable Potential--A reasonable potential to cause a water quality violation, or loss of sensitive and/or important habitat.

Significant Industrial User (SIU)--

1) All industrial users subject to Categorical Pretreatment Standards under 40 CFR 403.6 and 40 CFR Chapter I, Subchapter N and;

2) Any other industrial user that: discharges an average of 25,000 gallons per day or more of process wastewater to the POTW (excluding sanitary, noncontact cooling, and boiler blow-down wastewater); contributes a process wastestream that makes up 5 percent or more of the average dry weather hydraulic or organic capacity of the POTW treatment plant; or is designated as such by the Control Authority* on the basis that the industrial user has a reasonable potential for adversely affecting the POTW's operation or for violating any pretreatment standard or requirement (in accordance with 40 CFR 403.8(f)(6)).

Upon finding that the industrial user meeting the criteria in paragraph 2, above, has no reasonable potential for adversely affecting the POTW's operation or for violating any pretreatment standard or requirement, the Control Authority* may at any time, on its own initiative or in response to a petition received from an industrial user or POTW, and in accordance with 40 CFR 403.8(f)(6), determine that such industrial user is not a significant industrial user.

*The term "Control Authority" refers to the Washington State Department of Ecology in the case of non-delegated POTWs or to the POTW in the case of delegated POTWs.

Slug Discharge--Any discharge of a non-routine, episodic nature, including but not limited to an accidental spill or a non-customary batch discharge to the POTW. This may include any pollutant released at a flow rate which may cause interference with the POTW.

Soil Scientist--An individual who is registered as a Certified or Registered Professional Soil Scientist or as a Certified Professional Soil Specialist by the American Registry of Certified Professionals in Agronomy, Crops, and Soils or by the National Society of Consulting Scientists or who has the credentials for membership. Minimum requirements for eligibility are: possession of a baccalaureate, masters, or doctorate degree from a U.S. or Canadian institution with a minimum of 30 semester hours or 45 quarter hours professional core courses in agronomy, crops or soils, and have 5,3,or 1 years, respectively, of professional experience working in the area of agronomy, crops, or soils.

Solid waste--All putrescible and non-putrescible solid and semisolid wastes including, but not limited to, garbage, rubbish, ashes, industrial wastes, swill, sewage sludge, demolition and construction wastes, abandoned vehicles or parts thereof, contaminated soils and contaminated dredged material, and recyclable materials.

Soluble BOD5--Determining the soluble fraction of Biochemical Oxygen Demand of an effluent is an indirect way of measuring the quantity of soluble organic material present in an effluent that is utilized by bacteria. Although the soluble BOD test is not specifically described in Standard Methods, filtering the raw sample through at least a 1.2 um filter prior to running the standard BOD5 test is sufficient to remove the particulate organic fraction.

State Waters--Lakes, rivers, ponds, streams, inland waters, underground waters, salt waters, and all other surface waters and watercourses within the jurisdiction of the state of Washington.

Stormwater--That portion of precipitation that does not naturally percolate into the ground or evaporate, but flows via overland flow, interflow, pipes, and other features of a storm water drainage system into a defined surface water body, or a constructed infiltration facility.

Technology-based Effluent Limit--A permit limit that is based on the ability of a treatment method to reduce the pollutant.

Total Coliform Bacteria--A microbiological test which detects and enumerates the total coliform group of bacteria in water samples.

Total Dissolved Solids--That portion of total solids in water or wastewater that passes through a specific filter.

Total Suspended Solids (TSS)--Total suspended solids is the particulate material in an effluent. Large quantities of TSS discharged to a receiving water may result in solids accumulation. Apart from any toxic effects attributable to substances leached out by water, suspended solids may kill fish, shellfish, and other aquatic organisms by causing abrasive injuries and by clogging the gills and respiratory passages of various aquatic fauna. Indirectly, suspended solids can screen out light and can promote and maintain the development of noxious conditions through oxygen depletion.

Water Quality-based Effluent Limit--A limit on the concentration of an effluent parameter that is intended to prevent pollution of the receiving water.

APPENDIX C--RESPONSE TO COMMENTS